

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **August 13, 2002**

AGENDA ITEM NO.: **13**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit (CUP) – Randolph – Macon Woman's College**

RECOMMENDATION: Approval of the requested CUP.

SUMMARY: Randolph – Macon Woman's College is petitioning for a Conditional Use Permit at 2615 Rivermont Avenue for the use of an existing structure as college related offices and guest housing in an R-4, Multi-Family Residential District. The Planning Division (PD) recommended approval of the CUP because:

- Petition agrees with the General Plan in that a college and its associated uses are permitted uses in a Medium-Density Residential area.
- Petition agrees with the Zoning Ordinance in that a college and its associated uses are permitted in a residential district upon approval of a CUP by the City Council.
- Petition proposes the use of the property for college-related offices and guest housing.

Section 35.1-15(f) of the Zoning Ordinance states: "In approving a conditional use permit City Council may impose any conditions

PRIOR ACTION(S):

July 24, 2002: Planning Division recommended approval of the CUP.

Planning Commission recommended approval (6-0, with one member absent) of CUP with the following conditions:

1. Two "Southern Magnolias" and low lying shrubs will be planted along the property line fronting "Rivermont
2. The existing "Sycamore" tree that is to be removed will be replaced with a 1 ½ inch "Yellow Poplar".
3. The parking area and entrance drive will be constructed from "Grasspave" or a comparable material.
4. On site parking will be reserved for visitors and overnight guests. Overflow parking will be on the main campus of the college.
5. All "Building Officials Code Administrators, (B.O.C.A.) codes will be met prior to the occupancy of the building.
6. The property will be developed in substantial compliance with the submitted site plans received June 25, 2002.

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn / 847-1508, ext. 253

Tom Martin / 847-1508, ext. 226

ATTACHMENT(S):

- Resolution
- PC Report
- PC minutes
- Site plan

REVIEWED BY: lkp

2. The existing "Sycamore" tree that is to be removed will be replaced with a 1 ½ inch "Yellow Poplar".
3. The parking area and entrance drive will be constructed from "Grasspave" or a comparable material.
4. On site parking will be reserved for visitors and overnight guests. Overflow parking will be on the main campus of the college.
5. All "Building Officials Code Administrators, (B.O.C.A.) codes will be met prior to the occupancy of the building.

The property will be developed in substantial compliance with the submitted site plans received June 25, 2002.

Adopted:

Certified:

Clerk of Council

171L

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504434-847-1508

To: Planning Commission
From: Planning Division
Date: July 24, 2002
Re: **CONDITIONAL USE PERMIT (CUP): Randolph-Macon Woman's College, 2615 Rivermont Avenue.**

I. PETITIONER

Randolph-Macon Woman's College, 2500 Rivermont Avenue, Lynchburg, VA 24503

Representative: Ms. Lynn A. Cunningham, Craddock - Cuninghame Architectural Partners, 1312-28 Jefferson Street, Lynchburg, VA 24504

II. LOCATION

The subject property is a tract of about 0.4 acres located at 2615 Rivermont Avenue.

Property Owner: Gerald and Victoria Mertens, 2615 Rivermont Avenue, Lynchburg, VA 24503

III. PURPOSE

The purpose of this petition is to allow college related offices and guest housing in an existing structure located at 2615 Rivermont Avenue.

IV. SUMMARY

- Petition agrees with the General Plan, in that a college and its associated uses are permitted uses in a Medium -Density Residential area.
 - Petition agrees with the Zoning Ordinance in that a college and its associated uses are permitted in a residential district upon approval of a CUP by the City Council.
 - Petition proposes the use of the property for college related offices and guest housing.
 - **The Planning Division recommends approval of the CUP petition.**
-

V. FINDINGS OF FACT

1. **General Plan.** The Lynchburg *General Plan* recommends a Medium Density Residential use for the subject property. The proposed CUP is in agreement with the *General Plan* in that colleges and associated uses are permitted in residential areas upon approval of a CUP by the City Council. Residential Development, Policy 8 states that "Older residential areas should be first considered in terms of their strengths rather than their weaknesses". The subject property is located in the "Rivermont Avenue Historic District". The preservation of this existing historic structure is encouraged to maintain the character and the vitality of the neighborhood.
2. **Zoning.** The existing R-4, Multi-Family Residential Zoning was established in 1978. Historically the property has been zoned for multi-family residences since the 1930's. Colleges and associated uses are permitted uses in residential areas upon approval of a conditional use permit by the City Council. The submitted petition does not propose to change the existing R-4, Multi-Family Residential District Zoning.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the use of the existing structure as college-related offices and guest housing.
4. **Surrounding Area.** The following are items in the surrounding area that have required City Council approval:
 - On June 11, 1996, the City Council approved the CUP petition of Vernon & Patty Brewer for a bed & breakfast for eight (8) guests at 2601 Rivermont Avenue.

- On August 8, 2000, the City Council approved the CUP petition of Randolph-Macon Woman's College for college related offices at 2601 Rivermont Avenue.
- On March 12, 2002, the City Council adopted the "Rivermont Avenue Historic District".

5. **Site Description.** The subject property is bordered to the north (across Rivermont Avenue) by the main campus of Randolph-Macon Woman's College, to the east by college offices (the Doyle House), to the south by single-family residences and to the west by apartments. The subject property contains a tract of about 0.4 acres with a brick 2-½ story residence that was constructed in 1926. The building has most recently been used as a single-family residence. The building is situated on a well-landscaped lot in the "Rivermont Avenue Historic District".
6. **Proposed Use of Property.** The purpose of the CUP is to allow college related offices and guest housing in an existing structure located at 2615 Rivermont Avenue. There are no major exterior modifications proposed for the subject property.
7. **Traffic & Parking.** The City Traffic Engineer's only comment of concern is that all overflow parking be in the existing Randolph-Macon Woman's College parking lots across "Rivermont Avenue". The petitioner has noted in the submitted narrative that staff will park in parking areas on the main campus of the college. On site parking will be reserved for visitors and overnight guests.
8. **Storm Water Management.** A storm water management plan will be required for the proposed parking area because disturbed areas exceed 1,000 square feet. The Conservation Specialist for the Robert E. Lee Soil and Water Conservation District has stated that the use of "Grasspave" will fulfil all storm water requirements.
9. **Impact.** The current submittal proposes the use of an existing structure for college-related offices and guest housing. Office space is proposed on the first floor of the building with space for four (4) to six (6) college staff. Office hours are proposed to be 8:00 am – 5:00 p.m., Monday through Friday. The second floor is proposed for four (4) guestrooms for overnight visitors to the college.

The plan indicates the construction of an entrance drive and three (3) parking spaces at the rear of the existing structure. The construction of the parking in this area would require the removal of one mature sycamore tree. The City's Urban Forester has indicated that this tree is near the end of its life expectancy and should be removed and replaced with a "Yellow Poplar". The plan indicates that the proposed parking area is to be constructed from "Grasspave". This aesthetically pleasing construction technique combined with the existing six (6) foot privet hedge should minimize any adverse impact from the parking area. The proposed parking area would be reserved for office visitors and overnight guests. Office staff will park in the existing Randolph-Macon Woman's College Parking Lot across "Rivermont Avenue". The proposed uses should not generate any excess traffic then would be expected with apartments, which are allowed by right in an R-4, Multi-Family residential district.

The existing boxwood hedge along the front of the property adjacent to "Rivermont Avenue" was historically located along the entrance walk, but was subsequently moved to its existing location by the current owner. This hedge is in bad health and the current proposal is to remove this boxwood hedge. The City's Urban Forester and the Planning Division have recommended that this hedge be replaced with other suitable landscaping, in the form of street trees and other low lying shrubs.

The Historic Preservation Commission reviewed the site plan at its June 17, meeting. The Commission found no adverse impact to the "Rivermont Avenue Historic District", relating to the proposed development. The Secretary to the Commission has granted an administrative approval for the construction of the parking area from "Grasspave".

The petitioner has met on site with the City's Building Commissioner and Fire Marshal. Minor improvements to the building will be required in order to meet life safety requirements of the "Building Officials Code Administrators, (B.O.C.A.)" code. These improvements can be done in a manner that allows the building to retain its historical and architectural integrity. These improvements will be made prior to a "Certificate of Occupancy, (CO)" being issued.

The total assessed value of the property and building is \$235,000. The City's current real estate tax is \$1.11 per \$100 of assessed value. A total of \$2,608.50 in tax revenue will be lost annually by the proposed conversion to college-related offices and guest housing. Since exterior and interior modifications will be kept to a minimum, the property could revert back to a residential use at such time as decided by the college.

10. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on June 18. Comments related to the proposal were minor in nature and will be addressed by the developer prior to final site plan approval.

11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary of appropriate in approving a CUP.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Randolph-Macon Woman's College for the use of an existing structure at 2615 Rivermont Avenue for college-related offices and guest housing in an R-4, Multi-Family Residential District, subject to the following conditions:

1. **Two "Southern Magnolias" and low lying shrubs will be planted along the property line fronting "Rivermont Avenue."**
2. **The existing "Sycamore" tree that is to be removed will be replaced with a 1 ½ inch "Yellow Poplar".**
3. **The parking area and entrance drive will be constructed from "Grasspave" or a comparable material.**
4. **On site parking will be reserved for visitors and overnight guests. Overflow parking will be on the main campus of the college.**
5. **All "Building Officials Code Administrators, (B.O.C.A.) codes will be met prior to occupancy of the building.**
6. **The property will be developed in substantial compliance with the submitted site plans received June 25, 2002.**

This matter is respectfully offered for your consideration.

William T. Martin
Planner III

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. John W. Jennings, Fire Marshal
Ms. Judith C. Wiegand, Strategic Planner
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Karl Cooler, Building Official
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Ms. Lynn Cunningham, Representative

VII. ATTACHMENTS

1. **Vicinity Zoning Pattern**
(see attached map)
2. **Vicinity Proposed Land Use**
(see attached map)
3. **Site Plan**
(see attached site plans)
4. **Narrative**
(see attached narrative)

MINUTES FROM THE JULY 24, 2002 PLANNING COMMISSION MEETING

These minutes have not yet been reviewed or approved by the Planning Commission

Petition of Randolph-Macon Woman's College for a Conditional Use Permit at 2615 Rivermont Avenue for the use of an existing structure for college related offices and guest housing in an R-4, Multi-Family District.

Ms. Lynn Cunningham, Craddock Cunningham Architectural Partners, represented the petitioner. Diane Davis, Director of Building and Grounds at Randolph-Macon Woman's College (RMWC) was also present. Ms. Cunningham said RMWC would like to purchase the house at 2615 Rivermont Avenue for the purpose of moving existing offices to the first floor and have guest rooms on the second floor. Ms. Cunningham explained that the house next door to 2615 Rivermont, which was also owned by RMWC, was a good example of how this house would be upgraded and repaired. She said there would be minimal modification to the first floor and the second floor of the structure would remain as it is. She said the guest quarters would consist of four bedrooms with a maximum of five guest. She added that the house could be reverted back to a single family home with very little work.

Ms. Cunningham said the hedge across the front lawn would be removed, with the privet hedge in back remaining to retain privacy. She continued by saying that a dying sycamore tree would be removed and replaced by a yellow poplar tree and two magnolia trees would also be planted on the grounds. She said small plantings would be added in triangular shaped beds at the entrance to the house from Rivermont Avenue and one of those beds would contain a sign exactly like the sign in front of the Doyle House next door. She added that there would be residential scale exterior lanterns placed around the property.

Ms. Cunningham said that "Grasspave" would be installed in the back of the house for parking for overnight guests. She said all college employees would be required to park on the main campus

Ms. Cunningham concluded by saying said she had met with City building officials to ensure that the interior of the facility met all City codes. She added that this project was not an expansion of offices for Randolph-Macon, but simply moving existing offices to a new area.

Lisa Gorman, 3 Arlington Place, addressed the Commission. Ms. Gorman said she was not in opposition to the project, but had some concerns about parking and congestion in that area.

Mr. Martin said any overflow parking would be on the main campus across the street at R-MWC. He said the alley would remain open and there will be no on-street parking.

Commissioner Worthington expressed his concern that tax exempt groups expanding into the City were taking tax revenue from the City. He added that by providing housing for college guests, RMWC was taking business from existing businesses that were already struggling to stay open. He asked if this was the only off-campus expansion planned by RMWC.

Ms. Diane Davis addressed Commissioner Worthington's comments. She said RMWC did not have a plan to continue expanding into the surrounding neighborhoods. However, she said they often received calls from area neighbors offering to sell their homes to the college. She said when they received such offers they evaluated the offer to determined if they had any use for the property. She said in the event the college was given property they had no need for they put the property up for sale.

Commissioner Moore asked about the "comparable material" in Condition #3 for "Grasspave". He asked about changing the use group from single family to what type of designation?

Mr. Martin said there were other materials that could be used instead of "Grasspave", and the City did not want to dictate a specific brand of material for RMWC, thus, the wording of the Condition #3 gave then the option to use a product comparable to "Grasspave".

Mr. Karl Cooler, Building Official, answered Commissioner Moore's seconded question by saying that the use group would be Business in R-3.

Mr. Martin explained that the land use was being changed to office and residential use under the BOCA Code. He said RMWC was required to bring the building up to meet the building code requirements and added that the zoning of the property would not change. He said under the current zoning the house could be divided into four apartments.

Ms. Cunningham said the residential floor in the house meets the current zoning. She said the portion of this request that did not match the current zoning was the office space.

Commissioner Flint said he supported the petition with the conditions listed and added that Lynchburg was fortunate to have the college here, including the taxes that the students and their families, and faculty and staff bring into the community.

After further discussion, Commissioner Moore made the following motion, which was seconded by Commissioner Flint and passed by the following vote:

"That the Planning Commission recommends to the City Council approval of the petition of Randolph-Macon Woman's College for the use of an existing structure at 2615 Rivermont Avenue for college-related offices and guest housing in an R-4, Multi-Family Residential District, subject to the following conditions:

1. Two "Southern Magnolias" and low lying shrubs will be planted along the property line fronting "Rivermont Avenue.
2. The existing "Sycamore" tree that is to be removed will be replaced with a 1 ½ inch "Yellow Poplar".
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6. The property will be developed in substantial compliance with the submitted site plans received June 25, 2002.

AYES:	Dahlgren, Echols, Flint, Moore, Wilkins, Worthington	6
NOES:		0
ABSTENTIONS:		0

RANDOLPH-MACON WOMENS COLLEGE

2615 Rivermont Avenue
Val. Map # 019-05-001
Conditional Use Permit Request

Petitioner: RANDOLPH-MACON WOMENS COLLEGE

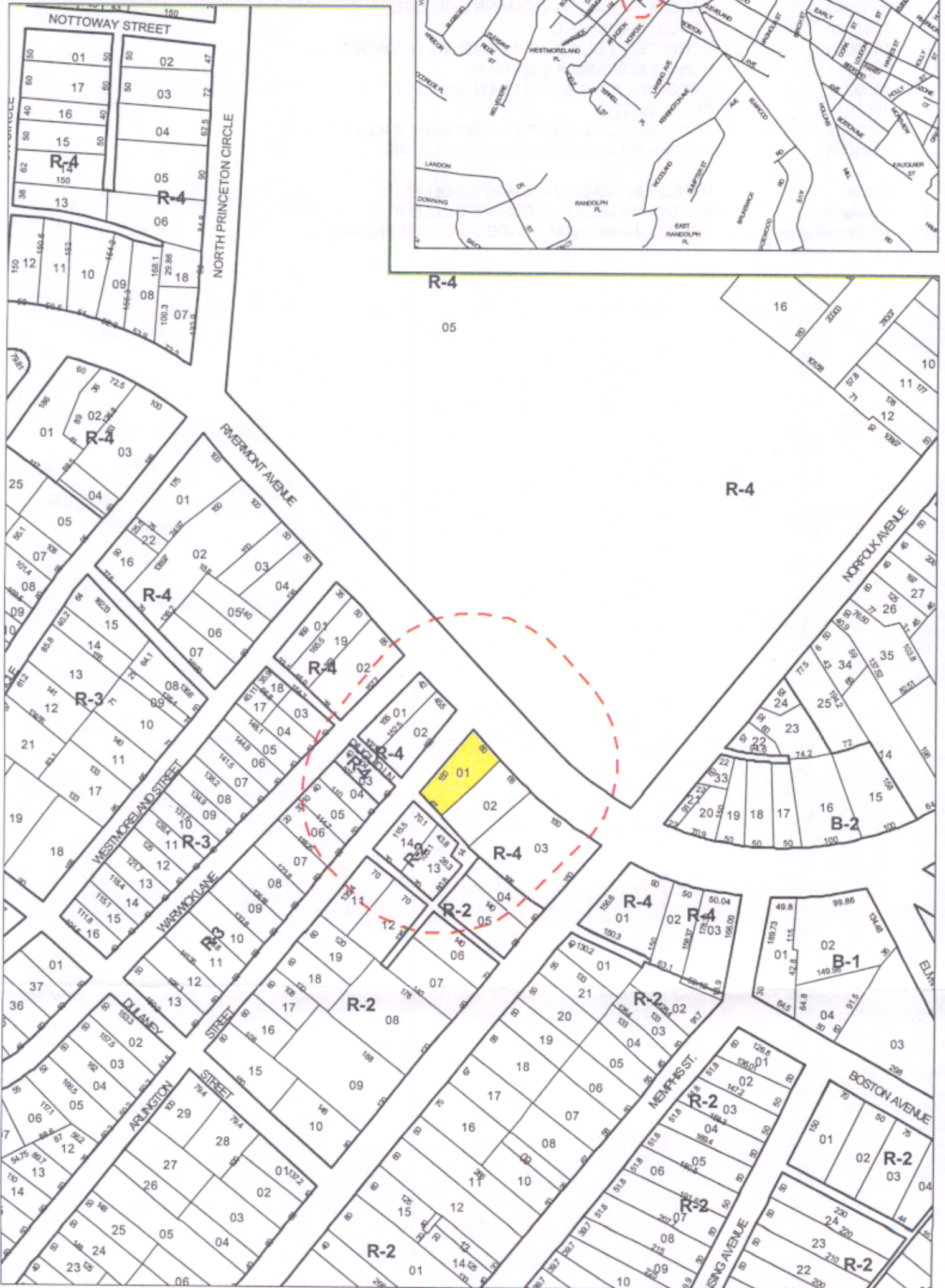
MAP PREPARED BY
THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT



Subject Property



200 ft Radius



NARRATIVE ATTACHMENT

REC'D

JUN 03 2002

COMMUNITY PLANNING
& DEVELOPMENT

Project Name: Randolph-Macon Woman's College
Project Address: 2615 Rivermont Avenue
Tax Valuation No.: 01905001

Randolph-Macon Woman's College of Lynchburg wishes to acquire the existing 2,413 sq. ft. residence at 2615 Rivermont Avenue with the sole purpose of providing much needed office space for Randolph-Macon Woman's College and guest room accommodations for college visitors.

The proposed conversion of the property will require no physical changes to the exterior of the house. Interior spaces are to remain as they exist, with alterations being limited to cosmetic features (paint, carpet, floor refinishing, etc.) and elements required by code upgrade. The proposed converted main floor offices are intended to house four to six staff members, and the second floor will provide four guest bedrooms with connecting baths.

Proposed site changes are:

1. The addition of three new parking spaces (asphalted) in the rear yard, accessed by the existing driveway. This will provide one additional on-site parking space (the existing driveway will accommodate two vehicles) without blocking ingress or egress to any of the three vehicles.
2. The addition of a new, lighted sign in the front yard. Enclosed herein is a photograph showing the proposed design, size (6 s.f.), and appearance, but with different text (identifying this property). Lighting is proposed to be ground-mounted uplighting, illuminating only the face of the sign.
3. The addition of security lighting would be residential-style, post lanterns, architecturally appropriate for the historic character of the site and neighborhood, approximately 6'-7' high. A minimum of two is expected with a maximum of four possibly being needed.

As previously noted, there are no intentions to alter the building in any way and no intentions for future expansion. Except for the minor site alterations outlined above, no changes are intended for the site. The existing vegetative buffer at the rear of the site (privet hedge) will be maintained as will most of the existing landscaping. Some clean-up of vegetative overgrowth on the east side of the site along the property line will be required, the dying boxwood hedge along the front (north) of the property will be removed, and a small dogwood in the rear yard will need to be removed in order to accommodate the new parking spaces. Minor shrubs may need to be removed and/or replaced where they are in an unhealthy/dying condition.

Office staff will use the building 8:00 am – 5:00 pm, Monday through Friday, and will park on the RMWC campus. On-site parking will be reserved for visitors and overnight guests. Guests will, of course, be using the building throughout a full twenty-four hour period, with some possible weekend use.

The residential character of the building and site will be unchanged, which means if RMWC ever abandons this location in the future, the property can revert back to its residential use with the simple removal of the sign.